

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 56, “Iowa Vocational Rehabilitation Services,” Iowa Administrative Code.

Chapter 56 provides for the services leading to employment for eligible Iowans with disabilities in accordance with Iowa Code chapter 259 and relevant federal statutes and regulations.

Many of the amendments are nonsubstantive cleanup items that primarily reflect actual practice and will not alter the services provided to clients of the Division of Vocational Rehabilitation Services. The amendments of substance are as follows:

Item 1 clarifies the type of employment sought.

Item 2 adds protected classes to the nondiscrimination rule to comport with Iowa Code chapter 216, Iowa’s Civil Rights Act.

Item 3 rescinds the definition of “client.”

Item 5 adds definitions of “customized employment” and “job candidate.” (The amendments in Items 8, 12 to 20, 22 to 28, 30, 31 and 35 to 37 reflect the change in terminology from “client” to “job candidate.”)

Items 5 and 21 define “progressive employment.”

Item 9 provides that a change in status must be in compliance with federal regulations.

Item 11 allows students in high school to work with a counselor to develop an employment plan.

Item 13 clarifies who can provide a medical diagnosis.

Item 16 creates a new category of training, “OJT,” on-the-job training.

Item 18 clarifies when the division will pay for certain transportation.

Item 23 adds “community rehabilitation programs” to the list of facilities providing specialized training.

Item 29 provides that the supervisor review of an appeal will be conducted by the bureau chief, rather than the assistant bureau chief.

Items 34 and 36 make the application process easier for individuals seeking to be self-employed.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of intended Action was published in the October 15, 2014, Iowa Administrative Bulletin as **ARC 1676C**. Public comments were allowed until 4:30 p.m. on November 4, 2014. A public hearing was held on that date. No one attended the public hearing. No written comments regarding these amendments were received. These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 259.

These amendments will become effective on January 14, 2015.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Ch 56] is being omitted. These amendments are identical to those published under Notice as **ARC 1676C**, IAB 10/15/14.

[Filed 11/19/14, effective 1/14/15]

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[For replacement pages for IAC, see IAC Supplement 12/10/14.]